

# Journal of Applied Research on Children: Informing Policy for Children at Risk

Volume 5 | Issue 2

Article 5

2014

## Representing the Educational Experiences of Black Girls in a Juvenile Court School

Monique W. Morris Ed.D.

Fielding Graduate University, [moniquewmorris@gmail.com](mailto:moniquewmorris@gmail.com)

Follow this and additional works at: <http://digitalcommons.library.tmc.edu/childrenatrisk>

### Recommended Citation

Morris, Monique W. Ed.D. (2014) "Representing the Educational Experiences of Black Girls in a Juvenile Court School," *Journal of Applied Research on Children: Informing Policy for Children at Risk*: Vol. 5: Iss. 2, Article 5.  
Available at: <http://digitalcommons.library.tmc.edu/childrenatrisk/vol5/iss2/5>

The *Journal of Applied Research on Children* is brought to you for free and open access by CHILDREN AT RISK at DigitalCommons@The Texas Medical Center. It has a "cc by-nc-nd" Creative Commons license" (Attribution Non-Commercial No Derivatives) For more information, please contact [digitalcommons@exch.library.tmc.edu](mailto:digitalcommons@exch.library.tmc.edu)



---

# Representing the Educational Experiences of Black Girls in a Juvenile Court School

## **Acknowledgements**

The author would like to acknowledge the support of this research by the Open Society Foundations Soros Justice Fellowship and The Akonadi Foundation. The author would also like to extend an appreciation to the young women who participated in this study.

## Introduction

“When the prison gates slam behind an inmate, he does not lose his human quality; his mind does not become closed to ideas; his intellect does not cease to feed on a free and open interchange of opinions; his yearning for self-respect does not end; nor is his quest for self-realization concluded.”

-Justice Thurgood Marshall in *Procunier v. Martinez* (1974)

Nationwide, Black girls (i.e., girls whose ancestry, at least in part, descends from the racial group indigenous to Africa) represent the fastest growing segment of the juvenile justice population in secure confinement,<sup>1</sup> which make them a disproportionately high proportion of the more than 400,000 youth who are educated in detention and correctional facilities across the nation.<sup>2</sup> Notwithstanding these national trends, literature that rigorously examines the intersections between race, gender, education, and incarceration are limited. Most research on the issue of education and confinement has focused on school discipline and the school-to-confinement pathways, with a smattering of literature that examines and interprets education in the context of carceral facilities through an intersectional lens of race and gender.

## Education in Juvenile Hall: A Policy Perspective

Pursuant to the concept that education is an important component of a positive life trajectory, education has been found to play a central role in the rehabilitation of juveniles in detention facilities. Juvenile court schools are associated with the notion of reintegrating these youth into district schools, as well as their reduced unemployment and recidivism.<sup>3-5</sup> However, the standards and quality of instruction associated with such education have failed to meet basic levels of adequacy for public schools.<sup>3</sup>

According to the Supreme Court ruling in *San Antonio Independent School District v. Rodriguez*, the U.S. Constitution does not guarantee education as a fundamental right.<sup>4</sup> However, each state has enacted its own laws governing public education for youth who reside in those states. As a result, the quality and form of education being provided to students in each state varies to the extent that there are 50 unique states and the District of Columbia responsible for shaping educational policies, procedures, and standards. So too are the varying policies and practices within each state's school districts responsible for managing the delinquent and/or disruptive behaviors of students.

Federal law, particularly the No Child Left Behind Act (NCLB), enacted in 2001, and the Individuals with Disabilities Education Act (IDEA), enacted in 1975, include language to ensure that children in contact with the juvenile court receive an “adequate” education, yet there is no existing national agreement on how to define “adequacy” in education.<sup>5</sup> However, while the federal government has provided strong incentives (eg, the Race to the Top Fund) for improved educational practices overall, there is still no uniform process by which all states have equal access to the resources and funding that help to reduce disparities or bridge the racial achievement gap in learning environments, particularly those which are offered in carceral institutions. According to Twomey, “education services provided in juvenile detention often fall far short of IDEA requirements,”<sup>3(p775)</sup> an issue which has been difficult to monitor given the manner in

which some states obscure data which include youth educated in carceral facilities. Additionally, where the 2001 No Child Left Behind Act required all schools, including juvenile court schools, to report Adequate Yearly Progress (AYP)—to monitor and evaluate student progress with respect to achievement, accrual of school credits, readiness to transfer to a “regular program or other education program,” completion of secondary school or employment, and, as appropriate, postsecondary education or job training efforts—there is also documented underperformance.<sup>6</sup> A previous study by the Juvenile Justice Enhancement Program found that as many as 19 states were not including juvenile court schools in their AYP reports.<sup>7</sup> As a pernicious form of tracking, the differential and substandard education being offered to girls (and boys) in carceral facilities may also be in violation of a legal precedent established by *Hobson v. Hansen* (1967), in which the court found ability grouping to be unethical and illegal.

Ethical considerations about the quality and adequacy of public education in general, and juvenile court schools, specifically, have been elevated to the extent that advocates have reported on the poor quality of education offered in secure confinement, and questioned whether it constitutes a possible violation of the Equal Protection Clause in the 14<sup>th</sup> Amendment of the U.S. Constitution.<sup>8</sup> However, legal scholars have also argued that because many of the federal requirements are not enforceable in the context of the juvenile justice system, this argument may not be viable.<sup>3</sup> Still, the California Department of Education includes among its objectives for juvenile court school, “dropout prevention; recovery of out-of-school youth; increased student graduation rates for students at risk of failure of completing high school; educational, emotional and counseling services; support for foster youth; diversion from the criminal justice system; and support for pregnant and parenting students.”<sup>9</sup>

California state law guarantees a public education to all children between the ages of 6 and 18 years old, including those who are being held in detention facilities. All juvenile court schools are administered by the county board of education. The California Education Code states, “the minimum school day shall be 240 minutes”<sup>10</sup>(§ 48643.3) and mandates “an intake evaluation for each ward to determine educational needs and ability to participate in all educational settings once the ward enters the local juvenile facility.”<sup>10</sup>(§ 48645.5) Consistent with the federal requirements noted above, the California Education Code also requires for special education instruction to be available to juveniles who have been diagnosed with a learning or developmental disability.

The California Education Code has been influenced by federal policies associated with the use of exclusionary discipline. Specifically, the 1994 Federal Gun-Free Schools Act required school districts to implement “zero tolerance” policies for specific offenses, which established predetermined consequences to a list of negative student behaviors, mostly associated with guns, controlled substances, and sexual assaults. Amendments were made to the California Education Code to reflect these requirements; however, these policies also instituted a climate that facilitated the use of other instruments of surveillance and punishment, which partially fueled the “school to confinement” phenomenon that disproportionately affects Black girls, as well as Black boys.

Additional state policy in the form of legislation geared toward decreasing the criminalization of specific school-related acts and improving fairness in the administration of discipline in schools are also a component of the policy context.

Specifically, in 2014 Section 48900 of the Education Code was amended to limit the use of willful defiance as grounds for suspension and expulsion. The 2012 Pupil Rights: Suspension or Expulsion: Alternatives and Other Means of Correction Act also required schools in most cases to exhaust alternatives before the use of exclusionary discipline.<sup>11</sup> State legislation on suspension and expulsion alone also provided more discretionary decision-making ability to principals in expulsion cases.<sup>12</sup> Senate Bill 1088, dealing with readmission, amended the State Education Code to prohibit schools from denying youth enrollment or readmission solely on the basis of their prior contact with the justice system.<sup>13</sup> Finally, state legislation also changed truancy rules and provided administrators with alternatives to a juvenile court referral in response to habitual truancy.<sup>14</sup>

### **Previous Research on School-to-Confinement Pathways**

School-to-confinement pathways are the collection of policies, practices, conditions, and prevailing consciousness that facilitate the criminalization of youth within educational environments and the processes by which this criminalization results in their confinement and/or incarceration.

While there is a dearth of research exploring the unique *educational* conditions that present pathways to delinquency and incarceration for *Black* girls, previous studies that included Black girls alongside others found a relationship between educational institutions and increased contact with the juvenile justice system.<sup>15,16</sup> Some of the educational factors associated with the disproportionate confinement of Black girls include, but are not limited to, academic marginalization exacerbated by high-stakes testing,<sup>17</sup> a history of abuse and victimization in school and out of school,<sup>18</sup> the disparate use of exclusionary discipline in response to Black female behavior that is inconsistent with hegemonic constructs of gender,<sup>19,20</sup> a perceived moral panic among teachers and administrators about the behavior of Black females,<sup>21</sup> and the absence of culturally competent and gender-responsive interventions designed to address disobedience and negative student behavior in schools where African American children predominate.<sup>22,23</sup> Family obligations,<sup>24</sup> paternalistic juvenile courts and abuse histories have also been associated with the poor school performance and delinquency of girls of color.<sup>25</sup>

Studies conducted in the San Francisco Bay Area on girls have shown an association between a lack of school engagement and delinquency.<sup>18,21</sup> Researchers Acoca and Dedel found that 91% of girls in custody in California experience between “one and three forms of school failure, defined...as suspension or expulsion, being held back a grade, or being placed in a special class.”<sup>18(p105)</sup> Schaffner found that African American girls also experience schools as locations of sexual harassment and academic alienation.<sup>21</sup> Other Bay Area studies, given the role of punitive, inflexible discipline policies in marginalizing Black girls (and boys) from their learning environments, have focused on the promise of restorative justice as an alternative strategy by which to correct problematic student behaviors that may lead to conflict, suspension, expulsion, or arrest.<sup>26,27</sup>

### **Other Considerations**

Nationwide, the racially disproportionate rates of juvenile confinement<sup>28</sup> have produced juvenile court schools that are locations for intense, involuntary racial isolation. These

racially isolated schools are sometimes not accredited, and are below the quality of education that would be deemed adequate by state standards and student perspectives.<sup>2,29</sup>

Notwithstanding the demographic profile of inmates, there are a number of other factors that exacerbate challenges associated with providing education in carceral facilities. At least 30% of youth in juvenile court schools have been diagnosed with a learning disability.<sup>2</sup> Still, juvenile court schools have “one of the worst records of adhering to federal special education requirements.”<sup>30(p674)</sup> For example, researchers reported that “the National Center on Education, Disability, and Juvenile Justice (EDJJ, 2009) has documented 44 class action lawsuits related to inadequate provision of special education services in both juvenile and adult corrections.”<sup>3</sup>

Nationwide, African American youth have significantly longer lengths of stay in juvenile correctional facilities than White youth<sup>31,32</sup> and may benefit from alternative educational and vocational training to facilitate employment and school reentry upon release. There remains a controversy regarding whether individualized curriculum, general education and/or character-based approaches are most appropriate for youth in detention;<sup>33</sup> however, this debate is also not informed by an intersectional analysis that includes race and gender. Therefore, little is known of the specific approaches that might satisfy pedagogical and ethical concerns regarding educating Black girls in correctional environments.

The primary ethical concern associated with the education of Black girls in hyper-segregated correctional facilities is the exacerbation of racial inequality and internalized gendered racialized oppression that can undermine the developmental quality of education. I define *internalized gendered racial oppression* as the process by which Black females absorb and accept the dominant culture's distortions of Black American feminine identity (eg as less intelligent, hypersexual, loud, sassy, “ghetto,” or domestic) and oppressive patriarchal ideologies which undermine the healthy development of Black females. This dilemma is a legal one in that *de jure* racial segregation is illegal and that there are federal policies and guidelines in place to protect the educational needs of “delinquent and neglected youth.”<sup>32</sup> It is also a moral dilemma in that the juvenile justice system strives to uphold virtues of human dignity, equal rights, and the general reformability of youth involved in the juvenile justice system.<sup>33</sup>

Detained African American girls are more likely to express a desire to continue their education after their period of incarceration. Specifically, Toldson et al found that African American girls were more likely than their male counterparts to express a desire to eventually pursue higher education.<sup>34</sup> Black females also demonstrated higher levels of depression and trauma than their male counterparts, however, having greater levels of family and community involvement appeared to increase their academic potential. The Toldson et al study provided an early suggestion that by allowing Black girls an opportunity to explore their educational experiences, there may be an opportunity to bridge gaps in programming in and outside of schools in carceral settings. *What* these young women learn, and *who* they are learning with, therefore, are as important as the fact that they are learning; and both may impact the question of how to mitigate the segregative effects of incarceration and/or detention.<sup>35</sup>

### Important Gaps in the Literature and Impact on the Current Study

Schools within carceral facilities (ie, juvenile court schools) are often overlooked in discussions about the “school to prison pipeline,” though these classrooms are charged with providing education under the deeply restrictive conditions of secure confinement. Most studies also do not specifically address the conditions and experiences that uniquely impact Black girls. Little is also known of the specific educational experiences of Black girls who are educated in juvenile court schools. By engaging in dialogue with Black girls about their educational experiences—both in carceral facilities and in their district or community schools—I expected to acquire new interpretations of education, the behaviors of teachers and other school personnel, the juvenile justice system, as well as family and community expectations and conditions that inform their education. I also expected to collect new perspectives on how these systems, and others, may intersect in the lives of Black girls being educated in the San Francisco Bay Area.

Juvenile court schools may be one of the few locations in an otherwise punitive environment for high-risk Black girls to experience educationally reintegrative practices while they are in custody. Providing an opportunity for these girls to explore their experiences and conditions in the context of their learning environment may help to structure an informed framework for future research and policy focused on improving education in carceral facilities for girls, and for interrupting the educational system practices that specifically negatively impact Black girls.

While there is a dearth of research using an intersectional frame that would be most applicable to the current study, there are some studies that have explored *school to confinement* conditions in which Black girls are uniquely situated. The concept of *intersectionality* refers to the intersecting identities that inform an individual’s experiences. In this document, I use the term to specifically elevate the racial and gender-specific experiences of Black girls. According to Crenshaw, “Black women’s lives...cannot be captured wholly by looking at the race or gender dimensions of those experiences separately.”<sup>36(p1244)</sup> Instead, Crenshaw argued that research must explore “the various ways in which race and gender intersect in shaping structural, political, and representational aspects” of inquiries on the lived experiences of Black females.<sup>36(p1244)</sup> The absence of an intersectional frame has obscured their particular experiences; however, this review of the literature reveals a need to center Black girls in the scholarship on race, gender, education, and juvenile justice. At this crossroads, we might better understand what Black girls perceive of their schools and how they are affected by multiple conditions in their lives. The current research centers Black girls in this inquiry and attempts to inform future research seeking to examine intersectional frameworks and theoretical applications associated with improving the learning environment for Black girls in confinement.

### Assumptions

Based upon my experience as a professional researcher for more than 20 years on racial and gender disparities in the juvenile justice system, I made two primary assumptions with respect to this study. First, I assumed that improving the education of juveniles in confinement has not historically been a priority for local Probation Departments in the San Francisco Bay Area. This assumption is informed by preliminary interviews with key justice stakeholders who have shared that while

education is commonly viewed as an important *service* in the rehabilitation of youth, it is also typically viewed as secondary to the issue of public safety and the required 24-hour surveillance of juveniles who are awaiting court. Second, I assumed that Black girls *desire* a better educational experience in order to improve their life outcomes. This assumption was based on previous interviews, focus groups, and other unpublished materials and interactions that I have shared with Black girls who are in contact with the juvenile justice system, wherein Black girls have articulated a desire for better educational experiences.

### **The Current Study: Data Collection Methods**

The primary research methods that I implemented for this study were qualitative, phenomenological, and action-oriented, using critical narrative inquiry to explore and describe the educational experiences of Black girls in confinement. Phenomenological research elevates the meaning of the “lived experience” of those at the center of the inquiry. This study collected narratives on Black girls’ experiences in education—including schools in the community and schools in carceral settings—toward the goal of identifying potential policy and infrastructure improvements to support the learning of girls in confinement. In this approach, I employed qualitative research methods, because they were best suited for inquiries that seek to describe and present a deep understanding of an issue.<sup>37</sup> The intensive nature of the inquiry allowed me to develop relationships of meaning and other patterns that informed how Black girls articulate their understanding of their educational experiences and how I have ultimately interpreted their narrative descriptions of these experiences.<sup>38</sup>

### **Credibility and Validity**

Credibility (i.e. validity) refers to the accuracy of findings according to the researcher, research participants, and reader, and affects both the methodological and interpretive validity of the study. To address validity, I have triangulated data collection methods and data sources to allow for a more robust and descriptive presentation of the phenomenon at the center of this inquiry. To address interpretive validity, I have noted my assumptions at the outset of the study, as well as reviewed and discussed findings with my dissertation chair and with colleagues to help me identify variation in the processing and understanding of my own emergent findings and expectations.

To determine whether the data presented any inconsistencies, I demonstrated that coding schemes and categories were uniformly used. To further offer transparency, I maintained an audit trail, which was supervised by FGU faculty, to document the evolution of my decision-making with respect to the research process.

With the approval of the Fielding Graduate University (FGU) Institutional Review Board, I used an inductive, action-oriented approach that included a cyclical process to examine conditions in juvenile court schools.<sup>39</sup> I posed open-ended, research questions and “developed meaning from the data collected in the field.”<sup>39(p9)</sup> To better understand the phenomenon under study, triangulation and the use of multiple methods was important.<sup>39</sup> To achieve data triangulation, I conducted in-depth interviews, performed a document review, and collected descriptive data to present a picture of Black girls in the facility at the center of this inquiry. Coding categories were developed and refined according to the study’s conceptual framework.



### **In-depth Interviews**

In total, I conducted 17 in-depth, semi-structured interviews with Black girls between 13 and 17 years of age, representing the total universe (100%) of available Black girls in the juvenile court school between February 4, 2013 and February 11, 2013. In-depth interviews comprised the primary data collection method for the current study. The primary interview instrument was developed using a participatory pilot process that included previously incarcerated young women, direct service providers, educators, and justice stakeholders. Questions were designed to interrogate girls' perceptions of their own educational experiences before and during their period of detention. Questions were also posed regarding girls' perceptions of their educational needs and future career goals.

Interviews were conducted at a Bay Area juvenile court school. This method was most appropriate for this study because it allowed the Black girls at the center of this inquiry to share their educational experiences from their perspective, and in their words. As a critical tool in qualitative research, the interview offers an opportunity for the interviewer to explore the phenomenon through the lens of the affected person.<sup>40,41</sup> Creswell added that interviews allow for the researcher to "control" the line of questioning, and possibly steer them toward providing historical information that may be useful for the researcher.<sup>41</sup> I also note that interviewing allowed for a dialogical exchange that can be liberative and therapeutic for the person being interviewed (i.e. the "storyteller), particularly if she has not previously been able to share her thoughts and feelings about the phenomenon under study. I used cultural traditions (i.e. storytelling, laughter, and commenting to confirm that I "heard" the respondent) that elevate a critical perspective of education and incarceration as it pertains to Black girls.

For this phenomenological study, I considered the ethical issues associated with conducting social science research in general, and research on vulnerable populations in particular. Permissions were granted by the County Presiding Juvenile Court Judge, Principal of the Juvenile Court School and the County Board of Education, and County Probation Department. Verbal assent was also collected for each girl participating in the study. While studies have found detained girls to be eager participants in research designed to improve the services offered to girls in confinement,<sup>42</sup> I did not assume that all available Black girls confined in the county facility during the time of this study desired to participate in this study. All participation in this study was voluntary and took place during the normal school day. Each participant was informed about the study's purpose and each interview participant was requested to provide verbal assent to participate. The rights, interests, and concerns of participants remained paramount throughout the study.

To analyze and interpret interview data, I employed techniques to avoid repetition, scattered and disorganized data.<sup>37</sup> This began with the development of alphanumeric codes consistent with the categories and descriptions noted in my study's conceptual framework. On large flip chart paper, I identified descriptors found for the respective categories developed for this study. As the transcript coding process unfolded, I prepared new flip charts that captured additional themes as they developed. Using qualitative data analysis software, I also uploaded typed interview transcripts and coded specific quotations that corresponded with the study's descriptors. Coded

quotations were then printed and analyzed alongside the flip charts, where I also included written narratives that assisted with cross-checking data and which served as a "secondary analysis."<sup>37</sup> A domain analysis<sup>43</sup> was utilized to examine relationships among ideas and concepts represented on the charts that were prepared for each finding, and then compared with the software-coded transcripts of numerically coded interview participants in order to determine whether there were similar and/or divergent variables among participant narratives. This activity, which was audited by FGU faculty, supported a cross-case analysis.

From the data collected in this phenomenological study, I developed clusters and patterns that revealed linkages and gaps between themes and descriptors associated with the study's conceptual framework. Toward this end, I followed a three-pronged process by which to interpret the interview data. First, I studied and compared patterns and themes that emerged. Second, I linked these themes across categories. Third, I examined, compared, and contrasted how these themes and patterns reconciled with key findings from the literature, document review, and other quantitative data collected for this study. These activities were supervised and audited by FGU faculty.

### **Limitations of the Study**

As with most phenomenological, qualitative research involving in-depth interviewing as a primary method, this study is limited by its size and scope. The small sample size of this study prevented saturation, however its intent, as action research, was to provide a foundation for systems change for a particular institution. As such, this research does not intend to be generalizable and results should be interpreted with caution. However, this research does seek to be transferable,<sup>44</sup> in that my findings, in their stated context, may be applicable to other contexts with similar conditions. While somewhat speculative,<sup>45</sup> my effort to enhance the transferability of my findings was supported by my use of rich descriptions and illustrative quotations, while protecting participant confidentiality by the use of pseudonyms and other techniques.<sup>37</sup> In so doing, I increased the potential for my findings to be relevant in a wider context and to inform future research on this subject.

There are limitations associated with the use of interviews as a data collection method, including the fact that information is filtered through the eyes of the participant, that the researcher's presence may cause bias, and that all participants (i.e. interviewees) are not "equally conversant, articulate, or perceptive."<sup>41</sup> Additionally, the current study was not a racially comparative study and therefore did not include interviews with girls who racially and/or ethnically identify as White, Asian, Native American, Latina (non-Black), other racial and ethnic affiliations. It is not possible, therefore, to confidently determine if Black girls' experiences are different than their counterparts of various racial and ethnic groups. In phenomenological, action-oriented research, however, first-person perspective is paramount. As previously noted, my inquiry required the input from Black girls in confinement in order to guide my intended goal of developing recommendations in response to their collective educational needs.

### **The Current Study: Summary of Findings**

Black girls were 12.6% of the population of girls age 10-17 in the county in 2013,<sup>46</sup> yet they were nearly 66% of girls confined in the county juvenile hall at the time of the

study. Table 1 shows the characteristics of all girls detained in the juvenile hall at the center of this inquiry between February 1, 2013 and February 15, 2013. During this period, the mean age of Black girls was 16 years old.

**Table 1.**

Characteristics for All Girls Detained in the County Juvenile Hall, February 1-15, 2013 (N=38)

	<i>N/Percent of Female Inmate Population</i>	<i>Mean Age, in Years</i>	<i>Age STD Deviation</i>	<i>Avg. Length of Stay, in Days*</i>
Total	N= 38, 100%	16.1	1.21	34.6
Black/African American	N= 26, 68%	15.9	1.15	39.7
Hispanic/Latina	N=5, 13%	17	1.26	9.6
White/Caucasian	N=5, 13%	15.8	1.17	41
Asian/Pacific Islander	N= 1, 3%	16	n/a	28
Other	N=1, 3%	17	n/a	1

Source: County Department of Probation (2013). \*February 1-15, 2013, from their date of entry

White girls experienced the longest average length of stay (41 days) during this period; however, this average is largely the function of an anomalous length of stay (122 days for one girl) and may also be associated with the severity of their arresting offense (one-third of arresting offenses were for violent crimes). As Table 1 shows, Black girls experienced the second longest average length of stay (39.7 days); however, the majority of the offenses for which they were arrested (70%) were “other” offenses, such as warrants and violations of probation. No additional data were provided regarding the offense history of the girls arrested under warrant or for violating probation. It is also important to note that arresting offenses are not always consistent with what the girls themselves revealed as the illegal activities in which they have participated. For example, while prostitution was not listed as an arresting offense for any of the Black girls in this study, a number of girls in the interviews revealed that they and some of their friends in custody engaged in street-level prostitution, stating that, “they bust dates” or “they only act like tricks” to denote a casual participation in the sex trade.

For Black girls, violent crimes were 16.7% of the offenses for which they were arrested. For Latinas, the average length of stay was 9.6 days. Among all girls in the juvenile hall during this time period, the longest individual duration of stay was 143 days as of February 15, 2013 for a 15-year-old Black girl, who was interviewed as a part of this study. The second longest duration of stay (142 days) during that time period was experienced by a 13-year old Black Latina, who self-identified as “Black” and is therefore identified as such, and who was also interviewed as a part of this study.

**Finding 1: Confined Black girls in this study articulate that education is important to them and to their parents or guardians.**

In this study, 94% (N= 16 of 17) of detained Black girls reported that their education is either “very important” or “important” to them. Additionally, the majority (N=14 of 17) of detained Black girls in the study also reported that their education was “very important” or important to their parents or guardians, where applicable. Girls in this study

recognized that even if their learning environment had not inspired them, their education was still an important factor in their rehabilitation. As Participant #7 noted, “I’m willing to push through...to start my future. You can’t get nothing without [an education]...That’s one thing they can’t take from you...your knowledge.”

## **Finding 2: Confined Black girls in the study have extended absences from school and extensive histories of suspension and expulsion**

Among the girls in this study, 82% ( $N=14$  of 17) reported having recently missed significant periods (at least 2 weeks) of instruction. Among these girls who missed significant portions of school, 36% ( $N=5$  of 14) had removed their court-ordered electronic monitoring device and/or were “on the run” and avoiding a warrant for their arrest; and 14% ( $N=2$  of 14) cited prostitution as a major deterrence from attending or participating in school. At least three of the girls in the study (18%) identified as the biological parent to a child under 3 years of age, but others spoke of being or feeling responsible for the care of their siblings. Among the girls who missed at least 2 weeks of school, 57% ( $N=8$  of 14) reported to have been expelled from or “dropped out” of school.

In the study, 88% ( $N=15$  of 17) of detained Black girls had a history of suspensions and more than half of the girls ( $N=11$  of 17) had a history of expulsions from non-juvenile court schools. Among those with a history of exclusionary discipline, half ( $N=8$  of 16) cited elementary school as their earliest experience with suspensions or expulsions. On this point, one of the girls described the first experience that began her cyclical relationship with exclusionary discipline. Participant #8 noted:

I told my teacher “don’t yell at me”... ‘Cause she kept talking. I was like, “Can you call my mom, because you’re yelling at me and I don’t want you yelling at me”...after they got off the phone with my mom, I still had an attitude, so she going to try to put me out of the class. So I got mad...and they going to suspend me for that. I just kept talking, told her to shut up...and then she going to try to put me in the corner. I’m not going in nobody corner...She tried to put me in the corner. I’m not going in no corner!...I just got a smart mouth...I don’t be meaning for it to come out like that, but if there’s something on my mind and my heart, I just say it. Even if it don’t got nothing to do with me, if one student getting treated unfair from the next student, I’m a raise my hand and put my input in.

Another participant referred to herself as a “problem child” several times and described how her fights, as well as the chronic suspensions and expulsions, have kept her out of school for extended periods of time. Girls shared that the origins of school fights included disputes over boys, negative rumors being spread by other girls, or feeling disrespected by another person. The majority of girls in this study had experienced being expelled for fighting, and in select cases, girls had been expelled from multiple schools, leading to inconsistent instruction and reduced opportunities for community building.

Black girls in the study also referenced being reprimanded for their perceived need to express themselves (i.e. “speak up” or “speak out”) when they witnessed acts they interpreted as unjust. According to Participant #3:

Us Black girls, like, if we don’t get it, we’re going to tell you. If we don’t feel that it’s right, we’re going to tell you. Where everybody else want to be quiet, it’s like, no...we’re going to speak up, we’re going to speak what’s on our mind.

“Talking back,” therefore, was identified as a cultural norm among Black girls that, if done in an aggressive manner, and in the classroom setting, might be considered disruptive and treated with discipline or labeled, for example, as “willfully defiant.” A number of girls shared that their families and communities have placed expectations on them to fight. As Participant 4 noted, “if somebody steps to me, I gotta fight.”

Educational factors were found to intersect with social and criminal justice system factors to increase the risk of confinement among Black girls. In this study, participants described schools as *locations* for the arrest of Black girls, especially for girls who were “on the run.” In these cases, girls avoided school, because they suspected that their return to school would ultimately result in their arrest and return to juvenile hall. For girls who were commercially sexually exploited (ie, participating regularly in prostitution), school was noted as an inconvenience, and a duty that came secondary to their life on the street. According to Participant #5:

When you’re a prostitute, ‘cause I have been one for a couple of months now, like, when you’re a prostitute, you gotta stop going to school because it’s something that you have to do all day. And if you don’t do it all day, you gotta hang out with your boyfriend all day, or like, your pimp all day. You have to. You have to. All day. And if you don’t...you could still go to school for like, a couple of months, you could still get your education...that’s if he lets you...usually, the girls that’s in the sex industry stop going to school.

Girls in this study also described exclusionary disciplinary practices as a regular response to their negative attitudes or behaviors in school. On this matter, girls in the study noted that these opportunities provided them with opportunities to reinforce their negative behaviors with other suspended or truant peers without repercussion. While the girls in this study were generally displeased with having participated in school fights or engaged in other disruptive behaviors, they identified poor student-teacher relationships as triggers for belligerent behaviors among Black girls who feel “disrespected” in the classroom and/or feel that they have received differential (and more punitive) responses to their school misbehaviors.

### **Finding 3: Confined Black girls in this study have a history of marijuana use.**

Almost all, 94% ( $N=16$  of 17), admitted to a history of smoking marijuana, and 65% ( $N=11$  of 17) of detained Black girls in the study reported a history of using marijuana at

school or just before going to school. According to the girls in this study, their intoxication on campus was not met with a punitive response the majority of the time. Among these girls, 64% ( $N=7$  of 11) reported that their teachers knew they were high in class.

On this topic, Participant #1 noted, "I mean, teachers know. The teachers that been working there for a long time, they already know. So, you come to school high, you do your work, you don't have no problem."

Among the girls who admitted to being intoxicated in school, 36% ( $N=4$  of 11) reported that they were sent home and 64% ( $N=7$  of 11) reported that there was no action taken by the school. Eighteen percent ( $N=2$  of 11) were referred to a drug and alcohol awareness class. While these girls have admitted to the long-term, habitual, and/or dependent use of marijuana, they also felt that it had not impacted their ability to focus in school. Participant #3 noted that she started smoking when she was nine years old and Participant #13 stated, "I always smoked a blunt before I left the house...I could still pay attention, though...it relaxes me...it just affected the way my teachers looked at me."

**Finding 4: Confined Black girls in this study have observed the differential treatment of other Black girls or experienced differential treatment themselves when they fail to adhere to rules associated with school attire or deportment.**

Girls were asked to describe scenarios in which they observed Black girls, including but not limited to themselves, who have violated school deportment rules and dress codes. Among the study's participants, 23% ( $N=3$  of 13) admitted to having violated a district school dress code themselves. Sixty-two percent ( $N=8$  of 13) admitted to having "talked back" to a teacher in class and 23% ( $N=3$  of 13) admitted to having fought in class. In response to the question of whether they perceived that "Black girls were treated the same as girls of other racial groups in the classroom" when these incidents occur. Thirty-one percent ( $N=4$  of 13) of participants who had made these observations indicated that they believed Black girls were treated "the same" as other girls. Participant #11 perceived that the absence of differential treatment may have been associated with the racial or ethnic composition of the staff. She observed, "Our staff there is Black, though, so it's not really like discriminating... They just tell me to be quiet. They just tell you stop talking so loud."

Over half ( $N=8$  of 13) of the detained girls in this study who had observed Black girls fail to adhere to school rules regarding fighting, attire, or "talking back" to a teacher perceived that Black girls received differential (i.e. more punitive) treatment than other girls (in non-juvenile court schools). Girls in the study provided specific examples of perceived differential treatment between Black girls and other girls who were caught violating rules on campus. Participant #5 noted that she felt non-Black girls were "favored more" in the classroom and Participant #9 offered that, "the teacher doesn't have as much patience with us" when Black girls broke school rules. The Black girls in this study detected the presence of racial bias in schools, and felt that White girls, when they broke the rules, were afforded privileges not equally extended to Black girls. In response to questions regarding the potential impact of school dress codes, girls provided specific examples to describe their experiences:

Participant #12: I came to school with shorts on. It was like...one of the hottest days ever and I was going to have a heat stroke. So I put some shorts on. So I walk in the office, and they like, you need to go back home and change...But a girl was White and she walked in the office. Her shorts were shorter than mine, and she was kinda thicker than me so, like, you could see everything, like her butt cheeks were hanging out kinda and everything. And then they gave her a pass to class! And I'm like, you didn't just see what she had on?...I'm like, I'm going to class, and then, I went to class. And she had them send me to the office. I was like, if y'all send me home, I'm not coming back because this is unfair.

Participant #13: I saw girls that would just stand up in class...walking across, don't care about nothing the teacher saying, just doing whatever they want to do. Calling each other "bit\*\*es" and "hos" across the room, like, they don't care. So of course, if it's a Mexican or White girl doing that, of course [the teacher] going to respond to her differently, because they do whatever they want to do.

The perception that girls of other racial and ethnic groups are treated less harshly than Black girls was an emergent theme among participants in the study, and an issue that is potentially linked with their attempts to reconcile Black girls' increased vulnerability to punitive, exclusionary discipline. Two girls in the study felt that while there was a perceived difference between the treatment of Black and White girls, there was no difference in the treatment between Black girls and Black boys. Participant #10 observed, "the teacher be racist...White people get treated better than us...that's what I think."

**Finding 5: Black girls confined in this juvenile court school felt that they were at increased risk of experiencing exclusionary discipline in juvenile hall.**

In this study, 94% ( $N=15$  of 16) of the girls in this study had been removed from a juvenile court school classroom (Table 2). Among those girls, 33% ( $N=5$  of 15) believed that it was because they simply asked the teacher a question. Among these girls, 67% ( $N=10$  of 15) reported that their removal from the classroom was the result of "talking back" to the teacher—in each case, the student felt she was responding to an unprompted, negative comment made by the teacher (eg, one participant recalled, "she called me retarded in front of the class...I have a learning disability"). Another 20% ( $N=3$  of 15) reported that their removal from the classroom was because they made a comment to a classmate or to themselves.

**Table 2.**

Confined Black Girls' Stated Reason for Removal from the Juvenile Court Classroom ( $N=17$ )

	Removed from Classroom	Perceived Reason for Removal from the Classroom			
		Talking Back	Asked the Teacher a Question	Comment to Self or Classmate	Other/Undisclosed
1	Yes				Undisclosed

2	Yes			X	
3	Yes	X			Early completion of work
4	Yes	X	X		Asked for help
5	Yes	X			
6	No				
7	No				
8	Yes	X	X		Asked for help
9	Yes	X	X		Asked for help
10	Yes	X	X	X	Asked for help
11	Yes	X			Protested reading a book about slavery
12	No Response				
13	Yes	X		X	
14	Yes		X		Asked for help
15	Yes	X			
16	Yes				Refused to go to class
17	Yes	X			Teacher referred to student as "retarded"

The punitive learning environment that many Black girls in the study described in their district schools was reinforced by what they perceived as a punitive learning environment in juvenile hall. In most cases, girls perceived that they were removed from the classroom, suspended or subjected to a written reprimand for acts of insubordination (e.g. "talking back" or refusing to read a book) or for acts that signal a mismatch between skillset and the material being taught (e.g. early completion of the work or persistently trying to ask a question about the material).

Participant #5 recalled that a teacher in the juvenile court school had called the class "jerks and stuff," noting that the teachers may "come with rude attitudes" and that "they're hecka disrespectful to us." Participant #1 noted, "Some teachers will sit there and argue with you, like, stubborn teachers will sit there and argue with you for no reason...make up things to argue with you about."

In this study, over half ( $N=10$  of 16) of the girls who addressed this issue reported that a student triggered their disruptive classroom or school incidents. Eighty-one percent ( $N=13$  of 16) reported that a teacher was the trigger for such activity. Participants who discussed this issue had a strong and negative reaction to the idea that they were obligated to defer to adults—teachers or institutional staff, particularly if they are perceived as verbally abusive. Below are illustrative quotations on this point:

Participant #2: I don't give a damn about being no child. You still not going to talk to me that way. I feel like, I don't go off 'cause you an adult...I'm a child. I shut up...No, I'm human, you human, so I talk just like you talk. If you disrespectful, I'm going to be disrespectful too.

Participant #14: I feel like, just 'cause you got a badge, that don't mean nothing. I'm still a human being. Just 'cause I'm in jail don't mean nothing.



The girls' reactions to the expectation that they defer to adults even when they do not feel that they are being treated with dignity may have been informed by the complicated histories these girls revealed with respect to adults in their families and schools. However, the girls in this study also shared examples of juvenile court school teacher responses to student behavior that suggest an exaggerated application of zero tolerance and a reinforcement of social norms that undermine the rehabilitative quality of education in carceral facilities. Participant #10 noted, "if you do one thing, you get kicked out," and Participant #11 noticed that Black girls were the potential target of differential treatment, stating, "the White girl [in the juvenile court school]...gets treated differently." Participant #17 recalled that, "the teachers call us b\*\*\*\*es and everything...They don't care, 'cause they know they're not going to get in trouble."

**Finding 6: Black girls in this study expressed a lack of confidence in the ability of their teachers and a desire for improved academic supports.**

More than half ( $N=10$  of 17) of the detained Black girls in this study reported a lack of confidence in the teaching ability and/or commitment of at least one instructor in their juvenile court school. Among the girls in this study, 47% ( $N=8$  of 17) perceived that a teacher in their juvenile court school had routinely refused to answer their specific questions about the material they were learning.

A number of girls in this study shared a concern about one teacher in particular, who was responsible for two subjects that many of the girls felt were critical to their success in school. Because a large proportion of the girls in this study had not been actively in school prior to their incarceration, they expressed concern about the perceived skillset of their instructor having an impact on their future. Girls in the study expressed a desire to learn, but felt that they were not in receipt of the academic supports needed for them to progress. For example, Participant #2 noted, "[the teacher] teach me one way, and another girl another way...and I'm like, confused." Participant #5 felt that she was not learning and therefore, "it feels worthless." As Participant #8 noted, "I don't want to go to college and just be dumb, thinking I've been learning all this time...[when] I've been learning little league stuff, you know?"

Participant #16 commented that she often felt responsible for supplementing her peers' understanding of the material, stating, "I have to show them how to do it because the teacher's not willing." Participant #17 stated, "I feel like they don't know how to teach" and Participant #3 noted, "[Teachers] don't care no more. They used to care. They don't care no more...they put us all in this box like we all the same, and we're not. Like, I don't know...they think we all doing bad things."

**Finding 7: The majority of confined Black girls in this study report that the schoolwork in juvenile hall is neither age appropriate nor useful to them.**

In this study, 75% ( $N=12$  of 16) of the detained Black girls who addressed this issue found the schoolwork to be too easy, while 19% ( $N=3$  of 16) found the work to be appropriate for their skill level, and 6% ( $N=1$ ) found the work to be difficult. A majority of the participants, 63% ( $N=10$  of 16), perceived the level of the coursework to be below their grade level.

Irrespective of age or grade level, girls in the juvenile court school were primarily educated in a single classroom, and learned the same material. To the discretion of the

teachers, and contingent upon the number of girls in custody at one time, teachers may temporarily separate the group by age in an attempt to facilitate more age appropriate activities. However, this was not a routine practice, and it was not accompanied by an age-appropriate curriculum. For example, according to Participant #3: “You have us in two split classes...one is supposed to be for younger, one is supposed to be for older, but you’re teaching 10<sup>th</sup> grade in the younger class while I’m still really in the 7<sup>th</sup> and the 8<sup>th</sup>...so it’s like, you’re not helping me. You’re teaching me 10<sup>th</sup> grade stuff and yeah, I get that stuff because you’re teaching it to me now, but what’s going to happen when I don’t know the other stuff?”

For those who felt that the work was beneath their skill level, there was the concern that they were not learning enough to recover credits and return to school with the necessary information to successfully reintegrate into the classroom. The following quotations illustrate this point:

Participant #9: School here’s really frustrating for me...the teachers here know that we’re here temporarily, so I feel like they don’t make sure that we’re really learning.

Participant #10: [This school] don’t teach you nothing. I’m in high school. They teachin’ middle school stuff.

The work in the juvenile court school was described by several participants as “the same,” or repetitive, feeling that their learning was stagnated by the absence of challenging material.

**Finding 8: Confined Black girls in this study expressed that they experience challenges with the transfer of credits earned while in detention.**

In this study, 82% ( $N=14$  of 17) of detained Black girls reported a prior experience at this juvenile court school. Among these girls, 57% ( $N=8$  of 14) believed that the credits they earned in juvenile hall had not transferred appropriately, and 86% ( $N=12$  of 14) were currently unsure of their credit status. One participant discussed being previously confined in a Southern California facility.

The transient natures of the population in confinement, combined with local (i.e. district) variances in credit accrual processes, were found to be confusing for the majority of the participants. Below is an illustrative quotation on this point:

Participant #4: My momma tried to get...my credits, but she couldn’t do it...I’m going to have my momma come up here, try again and see if she can switch my credits back to my school. I have some credits...I think.

Participant #11: I was in a group home and they were like, oh, we don’t really know how to get [school credits] from your juvenile hall. I don’t know, they were having difficulty doing it, and then the school I was in recently, I don’t know where they got my credits from.

The uncertainty with which a number of participants in this study approached the topic of credit accrual and recovery suggested that they were experiencing inconsistency with respect to the manner in which their school credits were earned, tracked, and shared. An examination of meeting notes obtained as part of the document review revealed that one senior institutional administrator perceived there were inadequate linkages between school districts involved with detained youth's education and probation, "I would like to have more presence from [the county] Office of Education...Having a [local school district] presence in our [school transition] center able to work directly with the youth and families is a key component...if families don't know how to traverse the system or how to get their youth back into schools, then it's easy for three or four days to have passed without getting to school, and by then, well, it's not a priority."

**Finding 9: Confined Black girls in the study have an idea about their future career and educational goals; however, the majority of these girls do not feel their current education is preparing them to reach their goals.**

The majority of detained Black girls in this study, 88% ( $N=15$  of 17), had some idea of their future occupational goals (e.g. institutional officers, engineer, forensic scientist, business owner, etc.), however, 73% ( $N= 11$  of 15) of the girls who had an opinion on the matter felt that their education was not preparing them for their future goals. For example, Participant #3 indicated that she would like to be a "lawyer" but when asked if she feels that school is providing her with the information she needs to pursue that goal, she responded "No." Participant #3 continued to share that she would like to "help the kids that's in jail for some offense."

Also, 41% ( $N= 7$  of 17) of the girls in this study perceived that there is "nothing" currently helpful about their juvenile court school. For a number of girls in this study, they perceived their classrooms as locations for limited dialogue and intellectual exchange. When asked whether she has asked for help in the classroom when she does not understand material, Participant #5 responded, "Oh, we usually don't get to speak. She don't care if we don't get it or not. She don't care." A follow-up question was posed about how she came to that conclusion and her response was, "She say it." To Participant #5, juvenile court school was "worthless, because you're not really learning anything."

**Finding 10: Confined Black girls preferred a learning environment that is safe, welcoming to them, and tied to future academic and occupational goals.**

Notwithstanding a history of negative experiences in school, girls envisioned positive learning experiences inside of the juvenile court school and in their district schools. The interview included a question about how girls perceive their own learning style(s). I asked them to self-assess whether they felt they were primarily visual, auditory, or tactile (kinesthetic) learners. Specifically, they were asked, "Has anyone talked to you about how you learn?" and "How do you think you learn best?" In response to these questions, a majority of the girls in the study noted that their official learning style had never been officially assessed. Twenty-nine percent ( $N=5$  of 17) of participants did not state nor feel confident self-assessing their primary learning style. Half ( $N=6$  of 12) of the girls who addressed this issue self-described as primarily visual learners. One-third

( $N=4$  of 12) of the participants self-described as primarily auditory learners, and 29% ( $N=5$  of 12) self-described as tactile learners alone, or in combination with another learning style.

The girls in this study also identified the specific elements that they considered as important to the development of a culturally competent and gender-responsive environment for them. As the previous findings suggest, girls in this study were most interested in being educated by “qualified” teachers; however, they also expressed interest in applying their learning to future career and/or academic goals in a safe environment. When asked to describe what a “positive learning environment looks like” to her, Participant #1 responded, “Just knowing it’s somewhere where you don’t got to watch your back.”

Among the girls who shared an opinion on this issue, 50% ( $N=8$  of 16) felt that caring and qualified teachers, along with other positive school leaders, would be included in their vision of an effective and desirable learning environment. To this point, Participant #8 desired a “caring, smart” teacher, while Participant #9 stated, “I just need to be checked in on more often. Like that progress... [someone to ask] how are you doing with school?...I’d probably want it to be one of my teachers, so that it could be more, like, immediate. It’d be right there in the classroom instead of it being, like, a counselor and I can tell him one thing and then go to class or not go to class. Yeah...’cause I feel like if it was put more in my face, I’d be like, more focused.”

Forty-four percent ( $N=7$  of 16) felt that classes, speakers, and volunteer opportunities that enhance their ability to advance their personal career and academic goals would be an essential component of their quality educational experience. The following quotations illustrate this point:

Participant #2, “You know how they be having computer classes? They should have a class on jobs and stuff. Research on jobs, like what job you want to do. Like they should research it for you and help you, you know?”

Participant #10: “[They should] have more classes about business...about jobs. Talk about it more.”

Girls in this study suggested that the instructors for these courses should possess knowledge of “street” culture and be willing to share information about how to overcome the common obstacles (e.g. poverty, parental drug addiction, etc.) that they have found overwhelming in their own lives. Given their desire to connect with individuals who have similar backgrounds, a number of the girls in this study elevated their desire to be an institutional officer as a strategy to provide the empathy they feel is sometimes absent from their stay in custody. The following quotations illustrate this point:

Participant #2: I want to be a [juvenile institutional officer] to help kids get that understanding. Like, you can’t help everybody; but if I can help one, then I did my job. ‘Cause if I can help that person, that person might could help the next, and that next can just keep going on, going in a circle... so I feel like if you can help somebody else, they might change the earth.

Participant #4: “I been here hecka times...and I just want to help kids, you know? And then, like, some staff here be mean. I just want to flip the whole thing. I just want to work with kids in a juvenile facility and help them, like, and then talking to them.”

### Discussion

The dearth of scholarship on the educational experiences and perceived goals of confined Black girls justified this study and its phenomenological examination of how confined Black girls experience school inside of carceral facilities and out. Previous literature that has examined the education of confined Black girls, alongside their male counterparts, found that African American girls have expressed a desire to continue school and eventually pursue higher education.<sup>34</sup> The current study aligned with the Toldson et al finding that Black girls in confinement value their education and that these girls have career goals and ambitions to pursue higher education; however, the current study also demonstrated the extent to which their troubled history of truancy and chronic absenteeism in school, substance abuse, negative family and peer influences combined with increasingly punitive school discipline practices inform how Black girls with a criminal conviction history experience school.

Literature on the increasing use of exclusionary discipline in response to the disruptive behaviors of Black girls in schools has not fully explored the specific incidents that led to these responses, nor could they adequately describe why Black girls were behaving in ways that would elevate such punitive responses. By centering the voices of confined Black girls in the articulation of what school “looks like” to them, this phenomenological study expands the scholarship on how to potentially interpret research on the incidence of exclusionary discipline and why it is important to structure future inquiries about Black girls and their school to confinement pathways using an intersectional lens—one that explores not only their race, gender, sexuality, age, socio-economic status, or criminal conviction history, but that examines the relationships between many or all of these factors and their relationships with each other.

Previous scholarship on the issue of discipline in schools found that Black girls were disproportionately subjected to exclusionary discipline in schools for activities that were subjectively defined and which appeared to be linked to non-violent rule breaking as opposed to specific threats to the safety of the school. The findings of this study supported this research, and confirmed that Black girls perceive that they have experienced exclusionary discipline for acts such as vandalism and using profanity with a teacher; as well as for fighting—physically and verbally—with the teachers and students. However, this study also showed that in a number of cases, the girls that fight felt that they were responding to specific acts of bullying from other students, differential treatment by teachers (perceived by the girls to be racially biased), or their home-influenced reactions to feeling disrespected. Consistent with the work of Hughes and Kwok,<sup>47</sup> student-teacher relationships were revealed as a component of the learning environment that may trigger disruptive behavior among the girls, or suppress it. Being excluded from their learning environment for asking questions or for being perceived as challenging adult authority—rather than for posing an actual physical threat to their own safety or to the safety of other students—may contribute to the criminalization of Black

girls in their learning spaces. Generally, girls in this study described school as a locus of violence and discipline, with “rowdy” students and teachers who were afraid of these students. To a number of the girls, this justified their truant or belligerent behavior, for—as one participant noted, if they cannot learn in school, why bother to attend? Their descriptions of and reactions to the learning environment in this study could potentially inform future practice and research on the topic, as described later in this article.

As previously noted, the use of exclusionary discipline and a reliance on zero-tolerance policies are at the center of the discourse on school-to-confinement pathways and the role of the school in facilitating the disproportionate confinement of Black youth. The public discourse and, increasingly, the scholarly community have emphasized a linear relationship between schools, dropouts, suspensions/expulsions, and prison, wherein a “pipeline” has defined how youth move between learning and correctional institutions.<sup>48(pA43)</sup> However, interpreting these girls’ experiences through a quantum lens,<sup>49</sup> the complex nature of how the girls in this study reflected upon their school experiences suggests that the relationships between their chaotic learning environments, their lack of school engagement or attendance, and discipline intersect at different locations along their school-to-confinement continuum.

The findings from this study also suggest that learning in the juvenile court school is not perceived as an extension of quality learning from district or community schools. Instead, many of the girls in this study expressed that the material was repetitive and unrelated to their future goals or interests, and found their instructors to be punitive and uninspiring. For many of the girls in this study, the juvenile court school *increased* the exclusionary discipline to which they were exposed in their home communities. The propensity for the Black girls in this study to treat academic material and instruction as an exchange that may prompt disagreement (eg, speaking out or asking questions) was perceived as being managed by schools as acts of defiance and intentional disruption of classroom activities. Compounding the girls’ frustrations of having to perform “busy work” were their concerns about the hyper-punitive learning environment. While many of the girls in this study also described their district or community schools as “boring” or punitive in certain instances, punishment and removal from the classroom did not dominate the climate of instruction as it was perceived to do in the juvenile court school. Additionally, girls did not feel impeded from verbally engaging with teachers in district or community schools, but they did feel this way about the juvenile court school. To these girls, the weight of discipline, supported by a collection of zero tolerance approaches to their attitudes and behaviors, is greater in the juvenile court school. This may serve to further marginalize Black girls from their educators and prevent them from repairing their relationships with school.

Literature on the structures of dominance<sup>50</sup> and the socially reproductive function of schools<sup>51</sup> shows that schools may reinforce and reproduce social hierarchies that undermine the development of people who occupy a lower societal status. For the Black girls in this study, the majority of whom lived in poverty and who had a history of contact with the criminal justice system, these socially reproductive structures were perceived as leading to their increased exposure to educational experiences that were associated with punishment or to repeated and escalating contact with the juvenile justice system.

It is a long-standing American value that education is a potential tool by which to restructure the social hierarchies present in society and elevate the conditions of

historically oppressed peoples. The California Department of Education has stated that a primary goal of its juvenile court schools is to provide “quality learning opportunities” for youth in confinement.<sup>52</sup> However, this study found that the current design of the juvenile court school may exacerbate some of the pre-existing conflicts between Black girls and teachers and/or the structure of learning environments to which confined Black girls are routinely subjected. If continued, the limitations and challenges of these conditions may serve to concretize and nullify the opportunities for improved associations between Black girls, schools, and academic performance—which is antithetical to the stated objectives of the juvenile court school.

### **Recommendations for the Juvenile Court School**

Below is a summary of recommendations for the juvenile court school.

#### **Mandate Professional Development for Teachers.**

Teachers in the juvenile court schools are subjected to a high degree of stress associated with fluctuations in student attendance, skillset, and mental/emotional health status. This can complicate the development of lesson plans and meaningful learning experiences for transitional learners. The findings of this study showed that the average length of stay for Black girls was approximately 30 days, with many returning to the hall multiple times after they had been released. Regular professional development for the juvenile hall teachers to support their ability to more effectively manage the classroom using alternatives to exclusionary discipline is highly recommended. Also, ongoing professional development on how to engage differential learners and how to use the student assessment data to inform curricular decisions and lesson-plan development would enhance the learning and possibly reduce the use of discipline related to low engagement in the work.

Poor student-teacher relationships were noted by the majority of the participants in this study. Teachers in the juvenile court school would benefit from the use of a culturally competent and gender-responsive discipline protocol, restorative practices, and objective decision-making training such that they could explore and utilize non-punitive strategies to promote safety, respect, and learning in the juvenile court school. The protocol should be explicit and clearly define the actions that warrant removal from the classroom.

#### **Devise a classroom structure for age-appropriate instruction.**

Teachers often receive student assessment data after the girls have been in the juvenile hall for a few days, and in some cases, after they have already been discharged. Notwithstanding these challenges, administrators should consider expanding the school to offer middle school instruction separate from high school instruction. This may partially address the concerns expressed among the participants in this study about the value of education in the juvenile court school. Additionally, it may also better facilitate an equitable transfer of credits between educational institutions, such that girls who are educated in the juvenile court school may begin to rebuild and recover their credits along their path toward rehabilitation. Additionally, age- and grade-appropriate curricula may increase interest in learning, thereby improving academic performance and reducing abhorrent behavior.<sup>53</sup>

### **Implement Career- and Goal-Oriented Courses.**

Using dialogue and partnership with the girls to advance their learning and academic achievement, career- and goal-oriented courses should be offered to help confined girls understand the importance of their education and develop roadmaps to complete their goals. Supplementing the required subjects with a modified teaching structure and courses that mitigate racial bias and “triggering” might produce more positive interactions between the juvenile court schoolteachers and their learners.

### **Place Highly Qualified Teachers in the Juvenile Court School.**

Current scholarly discourse and political advocacy on the distribution of highly qualified teachers has largely been maintained outside of the scope of juvenile and criminal justice. It is imperative that statewide education policy require a more equitable distribution of highly qualified teachers, including in juvenile court and alternative schools, if our most vulnerable youth are to be engaged in meaningful learning experiences that support their equal access to quality education and that continue to undo the vestiges of separate and unequal education.

The findings of this study suggest that a “highly qualified” instructor for Black girls in confinement should include an instructor who can demonstrate empathy and who understands the racial bias and gender oppression under which many of these girls live. As such, I recommend that each class be co-taught by two instructors, including perhaps an instructor who was formerly incarcerated as a youth. As Finding #10 suggested, the Black girls this study were seeking to connect with instructors who can provide specific pathways from confinement to achievement, using their own life narratives in some instances as the foundation for these potentially transformative engagement opportunities. Teachers should receive regular professional development, be trained in culturally competent, gender-responsive restorative practices and trauma-sensitive education. This teaching strategy would potentially improve the student-teacher relationships and reduce hostile learning environments that are conducive to the overuse of exclusionary discipline.

### **Future Research Directions**

Given the dearth of research centering Black girls in the analysis of relationships between educational systems and correctional systems, the field is open for inquiry. This study uncovered a number of themes associated with the perceived differential treatment of Black girls. Additional research, including comparative qualitative studies, should be conducted on that issue. Previous studies that have examined the role of attributional stereotyping have focused on males,<sup>54</sup> but not females. Research that examines the presence and impact of attributional stereotyping on teachers’ decision-making and discipline practices would be important to advancing the scholarship and research-informed policy designed to ameliorate implicit bias in schools. Mixed-method approaches to this research might expand knowledge of how teachers’ verbal and nonverbal cues impact Black girls’ attitudes toward school, as well as their academic performance, experience with exclusionary discipline, and risk of confinement.

Future research should also employ action research methods to further the conceptualization and testing of a dialogical praxis and restorative pedagogical



approach to learning and conflict management in correctional facilities for Black girls. Additionally, quantitative research on the correlation between family life and peer distractions on the educational outcomes of Black girls would be beneficial to expanding knowledge on this topic.

While peripheral to this study, I observed other interesting themes regarding the identity of Black girls, which may be worthy of future study, particularly in research that addresses intersections between race, ethnicity, gender, sexual identity, and juvenile justice system contact. Black girls in this study sometimes experienced difficulty distinguishing between themselves and Black boys, particularly with respect to the application of exclusionary discipline in schools. Future research that continues to center Black girls in the examination of school-to-confinement pathways will be helpful to creating new language and constructs associated with their ability to see themselves, their identities, and their experiences and conditions independently from their male counterparts. Three of the girls in this study identified as Black biracial (with Hispanic/Latino heritage). Research regarding how Black biracial girls' multiple racial identities have situated them in their schools and among other Black girls would be helpful to advancing constructs associated with the development of culturally competent policy and programmatic interventions.

### **Conclusion**

In 1901, W.E.B. Du Bois wrote of the convict-lease system, which leased the labor of people convicted of crimes (disproportionately poor and of African descent) to private land- and business-owners:

It linked crime and slavery indissolubly in their minds as simply forms of the white man's oppression. Punishment, consequently, lost the most effective of its deterrent effects, and...the Negroes lost faith in the integrity of courts and the fairness of juries.<sup>55</sup>

As the convict-lease system had become a symbol of all that was unfair about the criminal justice system at the turn of the 20<sup>th</sup> century, so too have schools—in and out of juvenile correctional facilities—become bastions of discipline and chaos in the minds of many of the Black girls in this study. This study found that juvenile court schools should be included among research, advocacy, and technical assistance to interrupt school-to-confinement pathways. Black girls in trouble with the law, and who are educated in juvenile court schools, desire learning environments in which they are supported, engaged, and respected. Juvenile court schools are an important component of the "opportunity to learn" framework that advocates use to elevate the need for learning conditions that reduce the marginalization of Black youth; and, as such, they must become a more integrated factor in the work to interrupt school-to-confinement pathways.

Ultimately, I suggest that juvenile court schools focus on the repair of the relationship between Black girls and their learning environment, where they openly discuss how school impacts their lives, and learn to trust teachers to steer them toward their career goals. Providing Black girls with an opportunity to verbally express themselves and use dialogue as a critical tool to process and understand material—rather than penalizing them for speaking out of turn—may reinforce critical thinking skills

that will improve decision-making in schools and in their extended life experiences. This “dialogical praxis” should make use of Black female cultural norms (e.g. “speaking out”) as a foundation for building leadership and decision-making qualities that could become assets to their learning and personal development.

## References

1. Puzzanchera C, Adams B, Sickmund M. Juvenile Court statistics, 2008. Pittsburgh, PA: National Center for Juvenile Justice, National Council of Juvenile and Family Court Judges. <http://www.ncjj.org/pdf/jcsreports/jcs2008.pdf>. 2011.
2. Read NW, O'Cummings M. Factsheet: juvenile justice education. Washington, DC: National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At Risk (NDTAC). [http://www.neglected-delinquent.org/sites/default/files/factSheet\\_facilities.pdf](http://www.neglected-delinquent.org/sites/default/files/factSheet_facilities.pdf). 2011.
3. Twomey K. The right to education in juvenile detention under state constitutions. *VA Law Rev.* 2008; 94(3):765-8111.
4. *San Antonio Independent School District v. Rodriguez*, 411 U.S. 1; 1973.
5. Blomberg TG, Pesta G, Valentine C. The Juvenile Justice No Child Left Behind Collaboration Project: A National Effort To Improve Education For Incarcerated Youth. Final Report 2008. Tallahassee: Florida State University Center for Criminology and Public Policy Research. <http://criminology.fsu.edu/wp-content/uploads/The-Juvenile-Justice-No-Child-Left-Behind-Collaboration-Project-Final-Report-2008.pdf>. 2008.
6. Houchins DE, Puckett-Patterson D, Crosby S, Shippen ME, Jolivet K. Barriers to facilitators to providing incarcerated youth with quality education. *Prevention School Failure.* 2009;53(3):159-166.
7. Wolford BI. Juvenile justice education: who is educating youth? [http://edji.org/Publications/educating\\_youth.pdf](http://edji.org/Publications/educating_youth.pdf). Published May 2000. Accessed July 31, 2014.
8. Boundy K, Karger J. The right to a quality education for children and youth in the juvenile justice system. In: Sherman FT, Jacobs FH, eds. *Juvenile Justice: Advancing Research, Policy, and Practice*. Hoboken, NJ: John Wiley & Sons; 2011.
9. California Department of Education. Juvenile court schools program summary: information on program purpose, services, outcomes, funding, students served, and results for juvenile court schools. Sacramento, CA. <http://www.cde.ca.gov/sp/eo/jc/summarycourtschs.asp>. 2011.
10. California Education Code. <http://www.leginfo.ca.gov/cgi-bin/calawquery?codesection=edc&codebody=&hits=20>. 1977. Accessed July 31, 2014.
11. AB 1729. Pupil rights: suspension or expulsion: alternatives and other means of correction. California State Legislature. [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201120120AB1729](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120AB1729). September 21, 2012. Accessed July 31, 2014.
12. AB 2537. Suspension and expulsions. California State Legislature. [http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?jsessionid=a792d81b3ff81ab5d308bbe89da1?bill\\_id=201120120AB2537](http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?jsessionid=a792d81b3ff81ab5d308bbe89da1?bill_id=201120120AB2537). September 21, 2012. Accessed July 31, 2014.
13. Senate Bill 1088. Price. Pupils: Readmission. California State Legislature. [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201120120SB1088](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120SB1088). September 19, 2012. Accessed December 12, 2014.

14. AB 2616. School districts: truancy. California State Legislature. [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201120120AB2616](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120AB2616). September 21, 2012. Accessed December 12, 2014.
15. Acoca, L. Educate or incarcerate: girls in the Florida and Duval County juvenile justice systems. San Francisco, CA: National Council on Crime and Delinquency; 2000.
16. Balfanz R, Spiridakis K, Curran Neild R, Legters N. High poverty secondary schools and the juvenile justice system. In: Wald JM, Losen D, eds. *Deconstructing The School-To-Prison Pipeline*. San Francisco CA: Jossey-Bass. 2003:77-78.
17. Advancement Project. Test, punish, and push out: how “zero tolerance” and high-stakes testing funnel youth into the school-to-prison pipeline. Washington, DC. [http://b.3cdn.net/advancement/d05cb2181a4545db07\\_r2im6cage.pdf](http://b.3cdn.net/advancement/d05cb2181a4545db07_r2im6cage.pdf). Published March 2010.
18. Acoca L, Dedel K. *No Place to Hide: Understanding and Meeting the Needs of Girls in the California Juvenile Justice System*. San Francisco, CA: National Council on Crime and Delinquency; 1998.
19. Blake JJ, Butler BR, Lewis C, Darensbourg A. Unmasking the inequitable discipline experiences of urban Black girls: implications for urban educational stakeholders. *Urban Rev.* 2011; 43(1):90-106.
20. Losen D, Martinez T, Gillespie J. *Suspended Education in California*. Los Angeles, CA: The Center for Civil Rights Remedies at the University of California, Los Angeles Civil Rights Project. <http://civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/summary-reports/suspended-education-in-california>. Published April 10, 2012.
21. Schaffner, L. *Girls in Trouble with the Law*. New Brunswick, NJ: Rutgers University Press; 2006.
22. Morris, MW. *Race, Gender, and The School To Prison Pipeline: Expanding Our Discussion To Include Black Girls*. Los Angeles, CA: African American Policy Forum; 2012.
23. Welch K, Payne AA. Exclusionary school punishment: The effect of racial threat on expulsion and suspension. *Youth Violence and Juvenile Justice*. 2012; 10(2):155-171.
24. Morris MW, Bush-Baskette SR, Crenshaw KW. *Confined in California: Women And Girls Of Color In Custody, A Summary of Preliminary Findings*. New York, NY: African American Policy Forum; 2012.
25. Jones N. “It’s about being a survivor...”: African American girls, gender, and the context of inner-city violence. In: Chesney-Lind M, Jones N, eds. *Fighting For Girls: New Perspectives On Gender And Violence*. Albany, NY. State University of New York Press (Kindle Edition); 2010.
26. Restorative Justice for Oakland Youth. <http://www.rjoyoakland.org/about.php>. Accessed July 31, 2014.
27. Sumner MD, Silverman CJ, Frampton ML. School-Based Restorative Justice As An Alternative To Zero-Tolerance Policies: Lessons From West Oakland. Berkeley: Thelton E. Henderson Center for Social Justice, University of

- California, Berkeley School of Law. [http://www.law.berkeley.edu/files/thcsi/10-2010\\_School-based\\_Restorative\\_Justice\\_As\\_an\\_Alternative\\_to\\_Zero-Tolerance\\_Policies.pdf](http://www.law.berkeley.edu/files/thcsi/10-2010_School-based_Restorative_Justice_As_an_Alternative_to_Zero-Tolerance_Policies.pdf). Published December 2010.
28. National Council on Crime and Delinquency. And justice for some: differential treatment of youth of color in the justice system. Oakland, CA. [http://www.nccdglobal.org/sites/default/files/publication\\_pdf/justice-for-some.pdf](http://www.nccdglobal.org/sites/default/files/publication_pdf/justice-for-some.pdf). Published January 2007.
29. Coffey O, Gemignani M. *Effective Practices in Juvenile Correctional Education: A Study Of The Literature And Research, 1980-1992*. Washington, DC: Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention; 1994.
30. Gagnon JC, Barber BR, Van Loan C, Leone PE. Juvenile correctional schools: characteristics and approaches to curriculum. *Educ and Treatment Child*. 2009; 32(4):673-696.
31. Soler M, Garry LM. Reducing disproportionate minority contact: preparation at the local level. Washington, DC: Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention. <https://www.ncjrs.gov/pdffiles1/ojdp/218861.pdf>. Published September 2009.
32. Cole D. *No Equal Justice: Race and Class In The American Criminal Justice System*. New York, NY: The New Press; 1999.
33. U.S. Department of Education. No Child Left Behind, Title 1, Part D: neglected, delinquent, and at-risk youth. Prevention And Intervention Programs For Children Who Are Neglected, Delinquent, Or At-Risk (N or D). Washington, DC; 2006.
34. Toldson I, Woodson K, Braithwaite R, Holliday R, De La Rosa M. Academic potential among African American adolescents in juvenile detention centers: implications for reentry to school. *J Offender Rehabil*. 2010; 49(8):551-570.
35. Foster M. *Black Teachers on Teaching*. New York, NY: The New Press; 1997.
36. Crenshaw, K. Mapping the margins: intersectionality, identity politics, and violence against women of color. *Stanford Law Review*. 1991; 43(6): 1241-1299.
37. Bloomberg LD, Volpe M. *Completing Your Qualitative Dissertation: A Roadmap from Beginning to End*. Los Angeles, CA: Sage Publications; 2008.
38. Moustakas C. *Phenomenological Research Methods*. Thousand Oaks, CA: Sage Publications; 1994.
39. Kuhne G, Quigley A. Understanding and using action research in practice settings. *N Dir for Adult and Continuing Educ*. 1997; 73:23-40.
40. Kvale S. *Interviews: An Introduction to Qualitative Research Interviewing*. Thousand Oaks, CA: Sage Publications; 1996.
41. Creswell, JW. *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches* (2nd Edition). Thousand Oaks, CA: Sage Publications; 2003.
42. Letendre J, Smith E. "It's murder out today": middle school girls speak out about girl fighting. *Child & Sch*. 2011; 33(1):47-57.
43. Spradley JP. *The ethnographic Interview*. New York: Holt, Rinehart and Winston; 1979.
44. Lincoln YS, Guba EG. *Naturalistic Inquiry*. Vol 75. Beverly Hills, CA: Sage; 1985.
45. Patton MQ. *Qualitative Evaluation and Research Methods* (2nd ed). Newbury Park, CA: Sage; 1990.

46. State of California, Department of Finance. Report P-3: state and county population projections by race/ethnicity, detailed age, and gender, 2010-2060. Sacramento, California.  
<http://www.dof.ca.gov/research/demographic/reports/projections/P-3/>. Published January 2013.
47. Hughes J, Kwok O. Influence of student–teacher and parent–teacher relationships on lower achieving readers’ engagement and achievement in the primary grades. *J Educ Psychol*. 2007; 99(1):39-51.
48. Edelman MW. The cradle to prison pipeline: an American health crisis. *Preventing Chronic Disease*. 2007; 4(3) A43.
49. Wheatley M. *Leadership and the New Science: Discovering Order in a Chaotic World*. San Francisco, CA: Berrett-Koehler (Kindle Edition); 1999.
50. Persell CH. *Education and Inequality: The Roots and Results of Stratification in America’s Schools*. New York, NY: The Free Press; 1977.
51. Bordieu P, Passeron JC. *Reproduction in Society, Education and Culture (2nd ed)*. London, UK: Sage Publications; 1990.
52. California Department of Education. *Juvenile Court Schools-CalEdFacts*.  
<http://www.cde.ca.gov/sp/eo/jc/cefjuvenilecourt.asp>. Published 2012. Accessed July 31, 2014.
53. Najaka SS, Gottfredson DC, Wilson DB. A meta-analytic inquiry into the relationship between selected risk factors and problem behavior. *Prevention Science*. 2001;2(4):257-271.
54. Bridges GS, Steen S. Racial disparities in official assessments of juvenile offenders: attributional stereotypes as mediating mechanisms. *Am Sociol Rev*. 1998;63(4):554-570.
55. Du Bois WEB. The spawn of slavery. In: Gabbidon S, Greene HT, Young V, eds. *African American Classics in Criminology and Criminal Justice*. Thousand Oaks, CA: Sage Publications; 2001:83-88.